TL 2367
-2

UNITED NATIONS

ECONOMIC AND SOCIAL COUNCIL

CONFIDENTIAL

Distr.
RESTRICTED */

E/CN.4/GR.1985/7/Add.3
30 August 1985

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Forty-second session

SUB-COMMISSION ON PREVENTION OF DISCRIMINATION
AND PROTECTION OF MINORITIES
Thirty-ninth session

REPLIES RECEIVED FROM GOVERNMENTS IN JULY 1985 RELATING TO COMMUNICATIONS CONCERNING HUMAN RIGHTS TRANSMITTED TO THEM

In accordance with Economic and Social Council resolutions 728 F (XXVIII), paragraphs 2 (e) and (f) and 1503 (XLVIII), paragraph 4 (a), the Secretary-General submits herewith the replies of Governments to communications concerning human rights transmitted to them.

GOVERNMENT REPLY No. 2989

2989 - INDONESIA (Relating to the following communications:

Date	From	Origin	Communications List	
			No.	Items
27 March 1985	Canada Asia Group	CANA	85/4	85/4/966
25 April 1985	Pax Romana	NGO, Cat.II	85/5	85/5/1,049-1,050
17 June 1985	Amnesty International	NGO, Cat.II	85/6	85/6/1,204)

[Reply from the Permanent Mission of the Republic of Indonesia to the United Nations Office at Geneva, dated 24 July 1985]

*/ All persons handling this document are requested to respect and observe its confidential nature.

PERMANENT MISSION
OF THE REPUBLIC OF INDONESIA
TO THE UNITED NATIONS
AND OTHER INTERNATIONAL ORGANIZATIONS
GENEVA

No. 1190/POL-281/85

NOTE VERBALE

The Permanent Mission of the Republic of Indonesia to the United Nations Office and other International Organizations at Geneva presents its compliments to the Secretary-General of the United Nations and has the honour to convey its observations concerning the following communications :

(a) Communication submitted by the Canada-Asia Working Group (Note of the United Nations Centre for Human Rights no.G/SO 215/1 INDO of 30 April 1985) ;

(b) Communication submitted by Pax Romana (Note of the United Nations Centre for Human Rights no. G/SO 215/1 INDO of 20 May 1985) ;

(c) Communication submitted by Amnesty International (Note of the United Nations Centre for Human Rights no. G/SO 215/1 INDO 25 June 1985).

General observations

1. The Permanent Mission of Indonesia notes with utmost regret that certain non-governmental organizations which profess to serve the objective of promoting human rights appear to be more interested in engaging in a persistent campaign of slander against the Indonesian Government and people than in doing something which is really in the interest of the people of East Timor. The three communications contain nothing but the same spurious and baseless allegations already made so many times before in the past, including those made at the

The Secretary General of
the United Nations
Geneva

./..

thirty-seventh session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (1984) and at the forty-first session of the Commission on Human Rights (1985) - in public as well as in confidential proceedings.

2. The three non-governmental organizations, and in particular Pax Romana and Amnesty International, in their communications have repeated, ad nauseam, the same unfounded accusations of "murder, torture, massacres, dissapearances, military trials, Islamization of East Timor, religious persecutions" and many other atrocious acts for which the Indonesian Government should purportedly be held responsible.

3. It should be recalled that at the forty-first session of the Commission on Human Rights held on 4 February - 15 March 1985, a communication submitted by Amnesty International containing practically the same accusations as now reproduced in the present communication, albeit in a different format and in abridged version, was considered by the Commission. After having considered the reply and comments given by the representative of the Indonesian Government on that communication, the Commission decided not to continue consideration of the human rights situation in East Timor.

4. In view of that decision of the Commission, taken only a few months ago, the legitimate question to raise would then be : why does Amnesty International submit another communication which contains nothing new, and reiterates the same well-worn allegations based on fabricated facts, rumours and so-called "reports" from ex FRETILIN political exiles and anti-Indonesian elements abroad ? The same question should be asked of Pax Romana which has repeated its wild accusations already made in the public proceedings at the thirty-seventh session of the Sub-Commission and at the forty-first session of the Human Rights Commission. One obvious explanation seems to be that those non-governmental organizations are determined to keep Indonesia under the "confidential procedure" of the Commission as long as they can so that they can be

./..

sured of an opportunity to continue their detestable exercise in lice and slander against Indonesia.

. What could be gained by the Commission and the Sub-Commission from his politically inspired manoeuvre by those non-governmental organizations ? Will the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities allow non-governmental organizations, to abuse the existing procedures of ECOSOC by presenting "reports" of dubious credibility and authenticity, which nota bene have been presented so many times before in different forms in public as well as in confidential proceedings, and which because of their patent falseness have led the Commission to decide not to continue consideration of the human rights situation in East Timor ? The Permanent Mission of Indonesia firmly believes that the Commission and the Sub-Commission will not allow themselves to be dragged by certain non-governmental organizations into a political exercise which will only serve the malevolent objectives of those non-governmental organizations, including their attempt to undermine the recent decision of the Commission on Human Rights not to continue consideration of the human rights situation in East Timor.

6. A more fundamental question is : what will the people of East Timor gain from this malicious smear campaign, waged inside the Commission and the Sub-Commission as well as outside, against the dignity and integrity of Indonesia and the Indonesian people ? Those manoeuvres, far from giving effect to the promotion of human rights in Indonesia including East Timor, will only harm the credibility and prestige of those organizations. Furthermore, they will never be granted access to Indonesia so long as they persist in their transparent and politically motivated anti-Indonesian campaign which they have been escalating to an incredible degree made possible by massive funding and backed by a network of world-wide organization. In the meantime, the world will increasingly obtain first-hand information on the real human rights situation in East Timor from governmental sources as well as from

./..

international humanitarian organizations which have been working in East Timor with the true motivation of serving the cause of human rights in East Timor.

7. As stated earlier, the entire contents of the three communications referred to above contain nothing more than a rehash of earlier allegations, completely devoid of any basis in facts but nevertheless reiterated over and over again in the apparent hope that constant repetition may yet deceive the gullible segments of public opinion. The Indonesian Government on its part had on as many occasions refuted those accusations, inter alia through its Note Verbale dated 26 July 1984 submitted to the Sub-Commission on Prevention of Discrimination and Protection of Minorities and another submitted to the Commission on Human Rights, as well as in statements made at previous sessions of the Commission and the Sub-Commission. Nevertheless, some of the more preposterous aspects of the accusations contained in the three communications cannot be left unanswered and on those, the Permanent Mission of Indonesia would like to make the following comments :

"Severe food shortage"

8. Canada-Asia Working Group expresses its concern over what it calls a "severe food shortage" and "a possible major famine similar to that of 1979"of which the veracity, according to the organization, was confirmed by the Catholic Church in East Timor in a "letter" smuggled out of the country. "Severe food shortage" has always been one of the most favoured standard issues raised by those trying to discredit Indonesia. At the same time, it is also the most ludicrous as abundant facts to the contrary as regards Indonesia's and East Timor's food and agricultural progress are known to the world. As in the case of the alleged "famine" of 1979, publicised by the then Apostolic Administrator of East Timor, Monsignor Martinho da Costa Lopes which subsequently had been proven to be utterly false by other independent observers, the alleged "severe food shortage" is simply a fabrication. As has already been mentioned in the Note Verbale of the Permanent Mission of Indonesia submitted to

./..

the Sub-Commission last year, the government's policy of concentrating agriculture development on food crops farming, plantation, livestock farming and fisheries has achieved remarkable success. Some relevant figures would be in order. Production of corn has increased steadily from 31,360 tons in 1979 to 45,265 tons in 1984. Production of rice paddy has increased from 16,521 tons in 1979 to 33,572 tons in 1984. It is expected that East Timor will be self-sufficient in food production and may even have a small surplus by 1990.

9. In accordance with an agreement with the ICRC reached at the end of 1983, the Indonesian Red Cross has since that time been monitoring the nutritional needs in all parts of East Timor. The Provincial Government of East Timor, through intensification, rehabilitation, extensification and diversification of food production efforts, and with the assistance of international humanitarian organizations and friendly governments, has managed to ensure an adequate food supply for the people of East Timor. It would certainly be unrealistic to expect the nutritional situation in each village or in each sub-district of East Timor to be the same. But it is certainly absurd to say that because in a particular village the nutritional situation is less adequate than in another, that particular village is facing famine, as alleged by the Canada - Asia Working Group. It is worthy to note that, upon its request, which has been granted by the Indonesian Government, the ICRC is at the present time carrying out a survey in the province in order to make an assessment of the medical/nutritional situation of the population on the main island of East Timor. The consent given to ICRC to carry out such a survey should be seen in the light of Indonesia's sincerity to show to the international community the real nutritional situation in East Timor.

"Torture", "disappearances", "extra-judicial executions"

10. Amnesty International and Pax Romana seem to be particularly inclined towards making sweeping allegations of torture, disappearances, extra-judicial executions and of referring to such "cases" which,

./..

Amnesty International says, have been corroborated by "mutually independent sources". Under close scrutiny, those cases will never stand the test of veracity. They are none other than fabricated facts or rumours and hearsay emanating from ex FRETILIN members in exile and their supporters abroad. Amnesty International recognizes that "on several occasions it has received reports of human rights abuses through FRETILIN channels" and that not in all instances has Amnesty International been able to check such reports through other sources. This fact alone constitutes a legitimate cause for doubt about the credibility of the sources of the "reports" presented by Amnesty International and Pax Romana - which are in any case secondary sources in the first place. Furthermore, it should be stressed that by relying solely on non-independent sources, Amnesty International and Pax Romana could not possibly adopt a non-partisan attitude and present balanced and unbiased reports as they should have done as independent human rights organizations with international standing. Close examination of the style and structure as well as the logic of the alleged "cases" of torture, extra-judicial executions and disappearances presented by these organizations can not but raise doubt about their credibility.

11. The use of torture and other forms of ill-treatment in the interrogation of suspects is contrary to Indonesia's State Philosophy, the Pancasila, to the basic values upheld by the Indonesian people and to the existing laws and regulations, particularly Law No.14 of 1970 on Basic Provisions concerning Judicial Power and Law No.8 of 1980 on Criminal Law of Procedure. The use of torture and other forms of ill-treatment in the interrogation of suspects is by law subject to disciplinary action and prosecution. The Indonesian Government has also taken measures to prevent any torture and ill-treatment from occurring. This has been confirmed in the US Government's Country Report on Human Rights Practices for 1984.

./..

12. As part of the constructive approach of the Indonesian Government in its effort to promote peace and security in the province of East Timor after the bloody civil war, President Soeharto has since 1977 offered general amnesty to the remaining members of FRETILIN. As a result, many of them have decided to accept the offer. They have been reintegrated into society and consequently they are now involved in the development of East Timor. Among the latest who have benefited from the offer are a senior FRETILIN leader, Commander Paulino Gama alias Mauk Muruk and his followers who surrendered on 24 January 1985. The offer of general amnesty is still standing.

"Military manuals"

13. Amnesty International has again brought up the issue of "military manuals" allegedly published by the East Timor military command, in which the use of torture in the interrogation of captives is condoned. To reinforce its allegation, Amnesty International has annexed to its communication a photo-copy of the so-called "manuals". The Indonesian Government has on many occasions denied the accusation that the government, or its apparatus in East Timor, has published such a document. The denial was made after intensive investigation had been made to find out whether any such "manuals", contrary to official policy, had been issued by the military command in East Timor. The "manuals" are simply the result of forgery committed by individuals who, though having some knowledge of the Indonesian language, are clearly ignorant of Indonesia's military command structure. The investigation conducted by the government and the provincial administration in East Timor has not revealed that the military authorities either in Jakarta or in East Timor have published or issued manuals condoning the use of torture.

14. The claim of Amnesty International that experts on Indonesia were satisfied that the "manuals" were genuine is apparently based on a flimsy method of verification, such as "the military terminology used, the nature of the charts and diagram included, . . . etc." Such a

./..

method of verification will certainly not meet the minimum standard of verification of authenticity. It is also to be questioned as to who are those referred to as "experts on Indonesia" ? Are they really qualified experts in the verification of the authenticity of a document ? Are they independent experts who have no a priori or biased attitude towards Indonesia ?

15. The whole question about the so-called "manuals" and the way Amnesty International is taking up the issue should invoke a deep reflection. What really motivates Amnesty International to persistently pursue the issue ? The authenticity of the "manuals" has never been established. The so-called "manuals" do not prove anything relevant to the accusation of abuse of human rights of the people of East Timor. By its obsession on the issue of "manuals" which is in reality a non-issue, Amnesty International seems to be primarily interested in creating the false impression that the Indonesian Government does not respect human rights. It is pertinent to recall again that the 1984 issue of the annual report of the United States Department of State to the US Congress maintains that "there is no evidence of the authenticity of the document (i.e. the "manuals").

"Religious persecution and Islamization"

16. Pax Romana and the Canada-Asia Working Group accuse Indonesia of harassing and persecuting the Catholic Church in East Timor and pursuing the "Islamization" of East Timor. Nothing is farther from the truth. As stated in the Note Verbale of the Permanent Mission of Indonesia dated 26 July 1984 submitted to the Sub-Commission, religious freedom for the people of East Timor is not only guaranteed by the State Philosophy, the Pancasila, and the Constitution ; it is also the commitment of the Indonesian Government to ensure that all East Timorese can practice their respective religions without restrictions or discrimination, whether they are Catholics, Protestants, Muslims, Buddhists or Hindus. Although the majority of the Indonesian people are Muslims, other religions are equally protected by the Constitution and

./..

respected by the Muslims. The unity of Indonesia and its people has been achieved and maintained not only through the strength of the nationalism reflecting the multi-racial and multi-ethnic reality, but also through religious tolerance which characterizes religious life in Indonesia. For these reasons the Pax Romana accusation that the Indonesian Government is harassing and persecuting the Catholic Church and is engaged in a process of "Islamization" of East Timor is utterly absurd. It is pertinent to note that there are 497,294 followers of the Catholic faith in East Timor out of a total population of 602,380 in the province as of 1984.

17. Since integration, there is a considerable increase in the number of baptism in the Catholic faith in East Timor. An average of 100 to 200 baptism per month conducted at parochial districts before integration has increased to an average of 1,000 to 2,000 baptism per month after integration. There are 35 Catholic pastors consisting of : 16 indigenous East Timorese, 10 foreigners and 9 hailing from other region of Indonesia The Catholic Church runs many social welfare projects including schools. There are over 20,000 children in Catholic Primary Schools and 3,000 in secondary schools. Presently there are 101 religious teachers and 171 are in the process of being appointed in the near future. This development alone testifies to the existence of freedom of religion in East Timor assiduously promoted by the Indonesian Government. A substantial increase in the number of baptism would have never occured, had the Indonesian Government harassed or persecuted the Catholic Church. It is ridiculous to conclude the way Pax Romana did, that the substantial increase in the number of baptisms in the Catholic faith constitutes a rejection of Islam and of integration. By drawing such an unwarranted conclusion, Pax Romana's real intention seems to be to provoke religious sentiments among the Catholic communities worldwide in order to get their support for its political objectives.

18. The Indonesian Government has allocated a special budget to promote religious teachings through educational media such as Elementary and

Secondary Schools and to grant scholarships for those who wish to further their studies in the Catholic religion in other parts of Indonesia and to build houses of worship, including a cathedral in Dili. The Indonesian Government has also promoted cooperation between the Apostolic Administrator in Dili and the Bishops' Conference of Indonesia. In separate statements to the press, the Chairman and the Secretary-General of the Bishops' Conference of Indonesia have stated that the Government has never hindered such cooperation. On the contrary, the Indonesian Government has facilitated assistance to the people of East Timor by the bishops' Conference. They have also stated that financial assistance received from churches in different countries for East Timor were being channelled through the Bishops' Conference.

Access of humanitarian organizations

19. Amnesty International and Canada - Asia Working Group continue to accuse Indonesia of banning or limiting access of international humanitarian organizations to East Timor. Such an attitude can only signify either total ignorance of the facts or a deliberate attempt to manipulate the facts with the aim of rallying world public opinion behind their political objectives. In the past, the Indonesian Government has publicly stated that since 1979 various humanitarian organizations have been operating in East Timor without any restriction. They include ICRC, UNICEF, UNHCR and Catholic Relief Services (CRS). These humanitarian organizations continue to function in East Timor and are working closely with the Provincial Government and the Indonesian Red Cross.

20. The ICRC continues to conduct its normal activities such as relief, tracing, mailing, protection, repatriation and family reunion. It suspended a part of its activities on the main island of East Timor in the latter part of 1983 for a few months because of local security disturbances caused by FRETILIN elements, but by March 1984 it resumed its activities. The ICRC and the Indonesian Government have agreed for

./..

the ICRC to regularly visit prisoners in prisons inside and outside East Timor where convicted ex-FRETILIN elements are serving their terms.

21. In accordance with an agreement between ICRC and the Indonesian Government, ICRC has since December 1983 no longer carried out relief assistance on the mainland of East Timor, and such activities have henceforth been carried out by the Indonesian Red Cross and the Provincial Government. This arrangement is made possible due to the increased capacity of the Indonesian Government to provide the services and funds required and the significant progress that has been achieved in the development of the province.

22. In response to a request made by ICRC, the Indonesian Government has agreed in February 1985 to a joint ICRC - Indonesian Red Cross survey on the main island of East Timor to assess the medical/nutritional situation of the population. The survey will be conducted in villages throughout the main island as specifically requested by ICRC. The survey began on 28 May 1985 and will be completed by the end of the year. The agreement on the ICRC survey is the latest evidence of the policy adopted by the Indonesian Government to grant full access to humanitarian organizations in East Timor, which is contrary to allegation made by certain non-governmental organizations. However, if what they mean by full access is automatic access, then they are clearly taking an untenable position. It is unrealistic to expect any government to grant automatic access to any international organization to operate throughout the length and breadth of its territory. It should also be noted that it is the practice of ICRC to conduct its activities under an arrangement agreed with the government concerned.

Protection activities by ICRC

23. With regard to protection activities, Pax Romana has brought up a story based on rumours about ICRC being deceived by the Indonesian

./..

authorities when its delegates visited a prison in Los Palos. Such an accusation is tantamount to casting doubt on the professionalism and integrity of the ICRC delegates in charge. Another "story" describes an incident during the same visit where the detainees are said to have declined to tell the real situation for fear of reprisal by "the executioner" who was standing nearby. Such a typical fabrication, spread by pro FRETILIN elements has the same flaws one can find in other "stories" they have invented : it lacks the factual elements of the event. It is an established practice of ICRC to interview detainees without the presence of any witness. And the Indonesian Government respects that principle. The ICRC will never agree to any arrangement which does not ensure that the interview is carried out without witness. The alleged presence of an "executioner" is therefore clearly absurd.

24. On 8 December 1983 a renewed understanding was reached on the resumption of ICRC's protection activities on the main island, to be implemented in four stages (rounds of visits), whereby the visits would gradually be extended to all detention centres. Thus, the first stage was completed in March 1984. The second stage of the visits took place in June 1984 and the third between 12 September and 2 October 1984. In the course of these visits a total of 336 detainees were visited in Dili, Baucau, Los Palos, Viqueque, Jakarta and Kupang (West Timor). A follow-up visit was carried out on 13 December 1984 to Comarca prison. The fourth stage of this programme which included visits to Cipinang (Jakarta), Tanggerang (Jakarta), and to Comarca (Dili), Becora (Dili), Atauro and Ainaro in East Timor was carried out from 15 April 1985. By 6 May 1985, 228 detainees had been visited.

25. The Indonesian Government further assured ICRC, that henceforth, after completion of this programme, any request made by the ICRC to visit detention centers outside the central prison of Comarca would be given serious consideration, and concurrence will be granted on an ad-hoc basis.

./..

26. The constant presence of ICRC in Atauro and its periodic visits to prisons in East Timor, recently rearranged in a new agreement with the ICRC, have been and will remain an additional element in safeguarding the well-being of the people in those locations. It serves as a complement to the commitment of the Indonesian Government to promote the well-being and the welfare of the people of East Timor.

Atauro

27. The three non-governmental organizations in their communications refer to the Island of Atauro, which once again compels the Permanent Mission of Indonesia to make some clarification.

28. To fulfill its commitment the Indonesian Government as of October 1984 has returned to their respective places of origin on the main island of East Timor i.e. Maliana, Los Palos, Baucau, Dili, Liquica, Aileu and Ainaro, 2,535 persons temporarily settled on Atauro. As of May 1985, there were 1,271 persons remaining, who will be returned to their respective places of origin in Viqueque, Sare, Manatuto and Los Palos this year. The ICRC is continuing all of its activities in Atauro.

Trials of detainees which "would appear to fall short of international standards"

29. Amnesty International and Pax Romana in their efforts to discredit anything that the Indonesian Government does, have questioned the legitimacy of the Dili Court of First Instance and the credibility of the trials. Pax Romana infers that the Court is a military court, that secrecy has characterized the trials and consequently it is difficult to know whether the court is impartial. Amnesty International states that "these trials may not have met international standards of fairness" and " no observers from international organizations have been present to monitor the conduct of the trials in term of the standards."

./..

35. The transmigration programme has also the objective of utilizing the resources available in the country by increasing food production. In sum, it is an appropriate method for inducing economic growth and integrated development at the central, regional and local level.

36. It is expected that the transmigration programme will significantly contribute to the achievement of the main national goals of providing employment opportunities, raising per capita income, increasing food - crop production, promoting national integration and achieving a better balanced and sustained use of natural resources in the country as a whole.

37. The success of the transmigration programme is recognized, both nationally and internationally. Assistance from this programme is not only received from friendly countries but also from such international institution as the World Bank which has recently approved a substantial loan.

38. In the light of the foregoing, it is evident that Pax Romana and Canada Asia Working Group do not shrink back from using any means to discredit the Indonesian Government and to mislead world public opinion, giving no regard to the need to back their accusations with facts and solid arguments.

"Letter" of Monsignor Belo

39. Pax Romana apparently continues to base its accusations on FRETILIN sources, which has publicised a so-called "letter" allegedly written by Monsignor C.X. Belo, the apostolic administrator in Dili dated 1 January 1985. However, Monsignor Bello has denied the authenticity of the "letter" in separate telegrammes sent to the Papal Nuncio in Jakarta and to the Indonesian Foreign Minister on 9 May 1985.

40. The trepidation and frustration experienced by the ex FRETILIN members in exile and their supporters abroad in the failure to impose

their will on the majority of the East Timorese people and in the diplomatic setbacks suffered, must have prompted them to resort to all kinds of acts, fair and unfair, including the circulation of a forged letter by Monsignor Belo.

Preservation of cultural identity

41. It is the established policy, and indeed, the constitutional duty of the Indonesian Government to preserve and develop the cultural heritage of each and every ethnic group, including the people of East Timor, to maintain the rich cultural diversity of Indonesia. Protected by "Adat" or customary law, the differing cultures of the various ethnic groups that can be found throughout the country have been maintained and further developed, including their traditions, moral values, languages and dialects.

42. In the field of cultural development, the Indonesian Government is guided by the Constitution and the national philosophy Pancasila, which uphold the national motto "Unity in Diversity", signifying respect and tolerance for the cultural and religious heritage of the multitude of ethnic groups comprising the Indonesian people. Specifically, Articles 32 and 36 of the Constitution establish the ethnic, linguistic and cultural rights of the Indonesian people.

Article 32 states :

"The Government shall advance the national culture of Indonesia".

In the Elucidation of the Constitution it further states :

"The national culture is that culture which emerges and grows out of the endeavours expressing the personality and vitality of the entire People of Indonesia. The ancient and indigenous cultures which are to be found as cultural peaks in all the regions throughout Indonesia are part of the nation's culture. Cultural efforts should lead towards advances in civilization, culture and unity without rejecting from foreign cultures new material which

./..

can bring about the development of or enrich the nation's own culture, as well as to raise the level of humanity of the Indonesian nation."

Article 36 states :

"The Language of the State shall be the Indonesian Language".

In the Elucidation of the Constitution it further states :

"In the areas possessing languages of their own which are actively used by the people concerned (for instance, Javanese, Sundanese, Madurese, and so forth), those languages will be respected and also protected by the State. Those languages are a part of the living culture of Indonesia".

43. In East Timor, the people's culture, which essentially displays a fusion between the indigenous and the Portuguese heritage, is fully respected. All aspects of culture encompassing the ethnic, linguistic and cultural heritage and the specific expression of their artistic forms and customs including music, dance, art, forlklore, handicrafts, traditions and cultural and religious ceremonies and practices are exercised without restriction and are freely handed down through structured as well as informal instruction by the older generation to the younger ones, as well as through Government sponsored and/or supported programs and projects.

44. It should be pointed out that at the present time the Tetum language, the local language, spoken also in West Timor, is used as the language of instruction up to the third grade in all primary schools throughout the province. Moreover, it is expected that Tetum will soon be taught as a separate linguistic subject in all Junior and Senior High Schools. For this purpose a study has been undertaken by the Language Institute of the University of Malang to develop a course for the teaching of Tetum in East Timor.

./..

45. These policies in indigenous teacher development and the language program is yet another indication of the efforts being made and the attention given to develop the educational sector in line with preserving the specific character of the East Timorese ethnic identity and cultural heritage.

46. In addition to public education which is one of the priority items in the development of East Timor, there is the parochial school system. Although totally independent and under the full auspices of the Catholic Church, parochial schools are also provided Government funding. The Indonesian Government has also initiated and funded a special program to promote religious teachings through public elementary and secondary schools and to grant scholarships for those who wish to further their studies in the Catholic religion in other parts of Indonesia.

East Timor is not "closed"

47. Indonesia is also being accused of closing East Timor to independent observers and of imposing restrictions on freedom of movement. This is simply yet another absurd allegation. Freedom of movement is enjoyed throughout East Timor and a general atmosphere of peace is felt by its people. An official of the United States Government visited East Timor on 23 - 27 October 1984 during which he came to Dili, Liquica, Ermera, Sare, Viqueque, Los Palos and Baucau. On 26 - 30 November 1984, a group consisting of the Ambassadors of Canada and New Zealand and the Chargé d'Affaires of the United Kingdom visited East Timor. They criss- crossed East Timor and made pre-arranged as well as surprise visits to almost all parts of East Timor, i.e. the districts of Dili (including the sub-district of Atauro) in the North, Liquica in the North-West, Manatuto in the center, Baucau and Viqueque in the East. They travelled by motor vehicle and helicopter without any problem. They met and spoke not only with local government officials who are mostly native East Timorese like the governor of East Timor as well as

./..

the chairman of local assemblies, but also met and spoke with ordinary East Timorese, including school children.

48. On 19 - 21 February 1985, a parliamentary delegation of the Federal Republic of Germany visited East Timor. At the beginning of March 1985, a group of foreign journalists went to East Timor to witness the real situation in the province. They had freedom to travel and to visit places they wanted to see. They visited among others Dili, Viqueque, Baucau and Los Palos, the island of Atauro and other parts of East Timor, and talked freely with the people. In April the Ambassadors of Nigeria and Venezuela together with the Charges d'Affaires of France and Japan also paid a visit to the province. They held discussions with the governor and other local authorities. They visited hospitals, health centres, agricultural projects, schools and market places in most of the districts in East Timor where they talked to the people directly to obtain first-hand information. In the following month another group of foreign journalists were in East Timor to witness the real situation there. Another important visit to be mentioned here is the visit made by the Apostolic Pro Nuncio Monsignor Pablo Puente to East Timor for one week in May 1985, followed by the visit of the Papua New Guinea Ambassador in Jakarta.

49. It should be noted that the comments and impressions of those visitors on the general situation in East Timor and the development efforts carried out by the government and the people of East Timor are indeed positive and contrary to the dismal picture described by Amnesty International in the communication.

50. By way of illustration, it is pertinent to quote what Mr. David Lange, Prime Minister of New Zealand, had to say after he received a report on the trip by his Ambassador. In an interview with New Zealand radio on 13 December 1984, Prime Minister Lange inter alia stated :

./..

"The report shows that the Ambassador travelled widely - in fact more widely than he thought he would be able to -, that there was clearly evidence of government security activity but no substantial evidence of resistance to it. And Indeed, life seemed to be functioning as well as could be expected. Further, human rights situations are being dealt with by court process. And, in fact, rather than the traditional . . . military action against people thought to be insurgents. People are now being put on trial, given effective legal aid and in some cases have been acquitted . . . The Ambassadors's report shows firmly that there is marked improvement in the quality of life".

51. All these foregoings bear undeniable testimony not only to the rapid progress achieved in the field of security and in the development of East Timor, but also refutes effectively allegations that East Timor is hermetically closed to the outside world.

CONCLUSION

52. The communications by Amnesty International, Pax Romana and Canada-Asia Working Group repeat unfounded accusations and presentations of fabricated facts. It is deplorable that they have felt justified to expose the so-called violations of human rights in East Timor merely on the basis of rumours and hearsay concocted by ex FRETILIN members in exile and their supporters abroad or unsubstantiated "reports" originating from secondary sources of dubious credibility. Instead of presenting a balanced report on the situation in East Timor by also taking into account information and reports from independent observers such as international humanitarian organizations operating in East Timor and foreign dignitaries, diplomats and journalists who have visited the territory, they have preferred to rely on unverified reports from questionable sources, intended to unwittingly promote the political designs of ex FRETILIN members in exile and their sympathizers. Such an attitude runs counter to the principle of impartiality to be upheld and

./..

respected by human rights organizations if they are to retain their credibility.

53. The "reports" they have presented contain fundamental flaws which contribute to the loss of such credibility. It is indeed an irony to recall that it is the Secretary-General of Amnesty International Mr. Thomas Hammarberg himself who himself said in an article in the International Herald Tribune of 12 April 1985, that :

> "It is also self-defeating to publish reports which are badly researched. Even minor mistakes can undermine the most serious message. Reports which do not stand up to scrutiny can, in fact, tarnish the credibility of human rights reporting in general".

54. The intensified campaign against Indonesia on the question of East Timor by certain non-governmental organizations, and particularly Amnesty International, while the actual situation in East Timor has registered significant improvement, warrants a legitimate question: are they really concerned with the well-being of the people of East Timor or are they more interested in engaging in a political campaign to promote the personal ambitions of ex FRETILIN members who have failed to impose their selfish will through force of arms on the majority of the people of East Timor ?

55. For these reasons, it is the considered view of the Permanent Mission of Indonesia that the communications of Amnesty International, Pax Romana and Canada Asia Working Group are politically motivated and therefore, do not meet the standards and criteria for admissability as provided in resolution 1 (XXIV) of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, particularly :

(a) paragraph 1 (b) which stipulates in part that "Communication shall be admissable only if, after consideration thereof, together with the replies if any of the Governments concerned, there are

./..

reasonable grounds to believe that they may reveal a consistent pattern of gross and reliably attested violations of human rights and fundamental freedoms, . . ." (underline added) ;

(b) paragraph 3(c) which provides that "A communication shall be inadmissable if it has manifestly political motivations . . ." (underline added).

56. In view of the fact that the three communications do not meet the standards and criteria laid down in that resolution, the Permanent Mission of Indonesia would like to express its firm belief that the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the Commission on Human Rights would consider the communications as inadmissible. It is therefore to be hoped that the Sub-Commission would ensure the strict application of the rule of admissibility to the three communications.

57. The Permanent Mission of Indonesia has the honour to kindly request the Secretary-General that this Note Verbale be circulated in extenso as an official document of the Sub-Commission and the Commission on Human Rights under Economic and Social Council resolutions 728 F (XXVIII) and 1503 (XLVIII).

The Permanent Mission of the Republic of Indonesia to the United Nations and other Internatinal Organizations at Geneva avails itself of this opportunity to renew to the Secretary-General of the United Nations the assurances of its highest consideration.

Geneva, 24 July 1985.